HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1106 (S/S) 2004

Chadan Singh S/o Dhyan Singh,
Assistant Teacher, G.I.C. Majri Grant,
Dehradun . ...Petitioner

Vs.

1. Additional Director of Education, Dehradun.
2. District Education Officer, Dehradun,
3. Principal, G.I.G. Majri Grant, Dehradun. ...Respondents

Sri H.M. Raturi, learned counsel for the petitioner.
Learned Standing Counsel for respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri H.M. Raturi, learned counsel for the petitioner and learned Standing Counsel for the respondents.

Vide order dated 25th June 2004 passed by Addl. Director of Education Garhwal Mandal, Pauri, the petitioner who was working as Assistant Teacher in Govt. Inter College, Majri Grant, District Dehradun, was transferred of Govt. Higher Secondary School, Malya Khet, District Tehri Garhwal. Against the transfer order, the petitioner approached to this Court on the ground that there is no place known as Malya Khet and it was the mistake on the part of the Education Department by which they have mentioned Govt. Higher Secondary School, Malya Khet in place of Govt. Higher Secondary School, Galya Khet in the transfer order. It is contended on behalf of the petitioner that he was not permitted to join at Galya Khet because he was not transferred to that place.

This Court has directed the authorities to permit joining of the petitioner at Govt. Inter College, Majri Grant where he was working earlier. The Addl. Director of Education Garhwal Mandal, Pauri was also directed to decide the representation of the petitioner. The authorities, after coming to know of the mistake committed by them, have now transferred the

petitioner at Govt. Higher Secondary School, Itharna, Dehradun where the petitioner has joined his duties and is still continuing.

Grievance of the petitioner is that he is not being paid salary for the intervening period i.e. since when he was transferred from Majri Grant till he joined at Itharna.

In this regard, the District Inspector of Schools, Dehradun was directed to appear before this Court to show cause as to why he has not complied with the orders passed by this Court on 28.10.2004 by which the petitioner was permitted to continue at Majri Grant. The DIOS who is present before the Court has clarified the position and has filed an affidavit.

Counsel for the petitioner has submitted that his client is ready to continue at Govt. Higher Secondary School, Itharna.

Keeping in view the facts and circumstances of the case, the District Inspector of Schools, Dehradun is directed to ensure payment of salary to the petitioner for the intervening period i.e. since when he was transferred from Govt. Inter College, Majri Grant till he joined at Govt. Higher Secondary School, Itharna within a period of two weeks from today. Personal appearance of the Officer is exempted.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

December 16, 2004:
NCM: